

The first of the Kentucky Beauty Pictures next Sunday. Order the Courier-Journal from your agent to-day.

VOL. CVII. NEW SERIES—NO. 13,960.

LOUISVILLE, FRIDAY MORNING, MARCH 22, 1907.—10 PAGES.

PRICE THREE CENTS. (ON TRAINS FIVE CENTS.)

# The Courier-Journal

If you are a good want advertiser you can manage a boarding-house. If you are not the boarding-house will manage you.

## The Weather.

Forecast for Friday and Saturday: Kentucky—Partly cloudy Friday and Saturday, somewhat cooler Saturday. Indiana—Partly cloudy Friday and Saturday, cooler Saturday; fresh to brisk southwest to northwest winds. Tennessee—Fair Friday; Saturday fair, slightly cooler.

## THE LATEST.

Injunction proceedings to test the new two-cent fare law in Mississippi have been begun by the Louisville and Nashville railroad, which has secured a temporary restraining order in the United States Court against the State Railroad Commission. Other railroads in Mississippi will follow along the lines of the Louisville and Nashville's suit.

Owing to the floods in many parts of California, there practically is no railroad communication between San Francisco and outside points. Not a train left or arrived yesterday and the officials of the Southern Pacific and Santa Fe lines are unable to state when the regular schedules will be resumed.

Over 5,000 cars of coke are tied up in the coke region at Connellsville, Pa., on account of recent floods. From Brownsville to Youngwood, on the Pennsylvania railroad, and from Leckow to Pittsburgh and Cumberland on the Baltimore and Ohio, freight is being held on every spur and siding.

Former Senator Burton, of Kansas, convicted for receiving pay for services before the Post-office Department while a member of the United States Senate, will be released from prison to-day, after having served six months. He will issue a statement to the public from his home at Abilene, Kan.

James J. Hill last night stated that there was no truth in the statement that he was about to retire from the presidency of the Great Northern. It is generally understood that the office of assistant to the president will be created and that this office will be filled by Louis W. Hill.

Bluejackets and marines of the United States navy have been landed in two and possibly three places in Honduras to protect property interests of American citizens. Talk of intervention by the United States and Mexico in the Central American imbroglio is becoming stronger.

Plant beds of nonassociation tobacco planters in Trigg county have been ruined by grass seed, which was sown in them during the night, presumably by the night marauders, who have also burned barns. In many instances the beds were destroyed, and had to be replanted.

Nicholas Shishkoff has returned to St. Petersburg from his trip to the United States in the interests of the Russian famine sufferers. He expressed himself as well pleased with the sympathetic reception and liberality of the American public and response to his appeal.

Fred Stewart, who offered to accept a verdict of life imprisonment on a murder charge, at Bourbonville, but who was forced into trial, was found guilty, in spite of his plea of insanity, and sentenced to a life term in the penitentiary. He killed his rival in love.

From now until next December Secretary Taft will be engaged on a series of trips about the world, to Panama, the West Indies, Alaska, the Philippines, Hawaii and other points where the head of the War Department's sphere of control extends.

The Pope has received in private audience Father Maria Bernardo, of the Capuchin order, who presented the pontiff with an autograph letter from King Menelik of Abyssinia, conferring on him the honor of the decoration of the Star of Ethiopia.

Mr. and Mrs. Douglas Robinson, accompanied by their daughter, have arrived at Naples. Mrs. Robinson, who is a sister of President Roosevelt, will be received by the Pope during her stay in Italy.

Ambassador Bryce has left Washington for New York, where he will be the guest for a few days of Joseph E. Choate and will deliver one or two addresses at banquets preparatory to a visit to Eary Grey at Ottawa.

Following a heated debate the New York State Assembly advanced to the vote of final passage of the bill providing for a recount of the ballots cast at the Mayoralty election in New York City in 1905.

The infant child of Edward Ramsey, of Evansville, fell into a candy bucket, full of water, and was drowned, although the baby's four-year-old brother did his best to pull it out.

Stuyvesant Fish told the students at the University of Pennsylvania yesterday that the investigation of railroad conditions had nothing to do with the recent decline in stocks.

Senator Cullom is quoted in an interview at Washington with saying that he told the President that if he had us way, E. H. Harrison would be put in the penitentiary.

Mrs. Serrepta Vedders used her teeth in a negro who attempted to assault her in her home in Evansville and injured the man so severely that he fled.

## CULLOM SCORES HARRIMAN DEAL

Declares Financier Should Go To Penitentiary.

Illinois Senator Terms Alton Transaction "Rascality."

Stuyvesant Fish On "Rotten Railroad Conditions."

AS TO TWO-CENT FARES.

Washington, March 21.—[Special.]—"I told the President if I had my way I'd try to put Mr. Harriman in the penitentiary for the Alton deal," said Senator Shelby M. Cullom, of Illinois, as he emerged from the Executive office at the White House this afternoon. "Did the President agree with you?" the venerable Senator was asked. "I do not think he made any comment over that remark of mine," he replied. "There is no doubt about the rascality of the deal," Senator Cullom continued. "The people who are swindled are, of course, not the citizens at large, but the folks who have bought those bonds. If there is nothing behind the paper, it cannot, of course, be worth much, and to sell it is nothing more nor less than a swindle."

Has Decided Ideas.

"What is Illinois going to do about it?" the Senator was asked. "I don't know. They don't seem to be doing very much about it just at present. I believe, though, that I saw something in the papers about the Governor preparing a bill of some sort on the subject."

The Senator did not talk at length with the President about the railroad situation, as he came only to introduce a friend. He has decided ideas upon the subject, however, and is of the opinion that the President should receive the support of the whole people for the stand he has taken. "I believe that the Government ought to make a valuation of the physical proportions of the railroads," said Senator Cullom, "but there are many more obstacles in the way of that programme than most people look for. Unless the appraisement is made all at once, the appraisers will have to begin all over again when they get through, for by that time the values would have changed. It must be done just like the defense is taken, all within the space of a few months. If it is not the figures obtained won't be worth anything at all."

Congress Should Go Slow.

"Should there be further legislation to strengthen the rate law and to give the Federal Government greater control over the roads?" was asked. "Well, I believe Congress should go slow and should see how the law, as it stands, works out," was the reply. We do not want to do anything radical calculated to hinder railroad development. We are not ready to tear up the ties or anything of that sort just yet."

Senator Cullom discussed the relation between Federal and State legislation and thought it inadvisable to do anything to override the right of the States.

ROTTEN CONDITIONS.

Stuyvesant Fish Says They Were Known To All Railroad Men.

Philadelphia, March 21.—Stuyvesant Fish, of New York, until recently president of the Illinois Central railroad, delivered an address to-day before the students of the Wharton School of Finance of the University of Pennsylvania. He took for his subject, "Faith the Basis of Finance."

Mr. Fish said in part:

"There can be no good financial system in the world unless the people have faith in their banks, their bankers and their securities. Simply because there is an occasional flurry in the stock market by which money is lost is no reason for the people thinking that the financial conditions are wrong, but merely that these things are bound to occur from time to time."

Not Cause of Decline.

"The fact that the investigation of the railroad conditions of the country was ordered by President Roosevelt had no more to do with the recent decline in railroad stocks in Wall street than you or I. It is quite true that the investigation did unearth some conditions that could only be characterized by the use of extremely bad language. That there have been rotten conditions in railroad circles is known to all those who have had to deal with the management of vast railroad interests. The result of these conditions has just been felt and will be felt to a greater or less extent until they are entirely corrected. "Our system of looking up public money in the national treasury and so taking gold or its equivalent out of circulation is a relic of barbarism. "It has of late been very much the fashion to blame President Roosevelt for what happens on the Stock Exchange, but I can assure you that it is not right. The legislation that he has dictated has been largely beneficial to the country and has done more for it than any other President since the Civil War. "Stock robbery cannot be stopped by

## JEROME OFFERS HIS EVIDENCE

Eight Affidavits Declaring Thaw Is Insane.

Defense Asks Further Time To Make Answer.

District Attorney Explains His Delay In Action.

DELMAS STILL AT THE FORE.

New York, March 21.—District Attorney Jerome to-day presented to Justice Fitzgerald eight affidavits in support of the suggestion he made yesterday in the case of Harry K. Thaw, that the defendant is now in such a state of lunacy or insanity as to be incapable of understanding the proceedings against him or making his defense. The court was in session for less than an hour, Mr. Delmas for the defense stating that their answer to the District Attorney's proposition was not ready. Justice Fitzgerald allowed both sides until Saturday afternoon at 2 o'clock to file such affidavits as they desire with the clerk of the court. There will be no further hearing in the matter of the appointment of a lunacy commission unless Justice Fitzgerald so directs after considering such affidavits and exhibits as are to be offered. Neither the jury nor Thaw was in court to-day, the jury having been excused until to-morrow morning at 10:30 o'clock. There will be a brief session at that time and a formal adjournment until Monday morning announced. By Monday Justice Fitzgerald is expected to be ready to announce his decision.

## "DEATH PASSING OF SHADOW ON FLOWER"

SO THOMAS B. ALDRICH DESCRIBED IT, AS END NEARED.

"FATHER DIED A POET," SAYS SON, TELLING OF LAST.

MANY DEPLORE HIS DEMISE.

Boston, March 21.—Tributes to the memory of the late Thomas Bailey Aldrich from well-known writers, which have been received at the Aldrich home in the form of letters and telegrams, were made public to-night. Talbot B. Aldrich, son of the poet, in giving out these tributes, made a statement which shows that the author approached death with his mind filled with poetical thoughts. Mr. Aldrich said: "My father died a poet. Only a little while before the end, he said, 'I regard death as nothing but the passing of the shadow on the flower.' "His last words as he passed away, holding our hands, were: 'In spite of all, I am going to sleep; put out the lights.' "

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Edmund Clarence Steadman: "I can give you no consolation except my profound share in this sorrow. He was my brother, so bright, so dear and still so young. His beautiful work and fame remain for us." Whitelaw Reid: "My loving sympathy in your great loss. We are mourning deeply with you."

William Winter: "He was one of the finest poetic spirits that I have ever known. I cannot think of him as dead. The loss to our literature is unspeakable, but the renown of Aldrich is sure."

Arrangements for the funeral of the poet provide for a burial service at Mount Auburn, at which Dean George Hodges, of the Episcopal Theological School, will officiate.

SERVING SECOND TIME FOR SAME OFFENSE

CONVICT IN FRANKFORT PRISON ASKS RELEASE.

WRIT OF HABEAS CORPUS IN UNITED STATES COURT.

WOMAN MARSHAL IN THE CASE

Frankfort, Ky., March 21.—[Special.]—Alleging that he is being confined in the State penitentiary upon conviction for a crime for which he has already served out a full sentence, Arthur M. Morrison to-day swore out a writ of habeas corpus in the Federal Court, sitting here. Judge A. M. J. Cochran issued an order directing Acting Warden W. S. Hawkins to deliver Morrison into court to-morrow morning at 9 o'clock for a hearing on his plea. Miss Ollie B. Mitchell, of Covington, who is a Deputy Marshal under United States Marshal St. O. Sharp, served the court's notice upon Warden Hawkins. In his petition to the court Morrison pleads that he is being held in confinement in violation of his rights under the Constitution of the United States, in that he is denied the equal protection of the laws afforded to all citizens of the State of Kentucky.

The petition recites that Morrison is a resident of Illinois, but was convicted of the crime of forgery in Rockcastle county, this State, February 7, 1905. He was charged with having signed the name of H. Cherrill, of Richmond, to a check for \$40. He was sentenced to serve two years in the penitentiary. After he made the assertion that after his release he was indicted by the grand jury of Laurel county for the crime of forgery, he claiming that it was for the same specific crime for which he had been convicted in the Rockcastle court. Morrison was again convicted and sentenced to the penitentiary for two years in November, 1906, and was brought to the penitentiary again last week.

Justice Cochran is expected to pass upon the question of the jurisdiction of the United States Court, before any action is taken looking toward Morrison's release. The Federal Court to-day went into the trial of the damage suit of D. S. Gay & Co., of Winchester, against the C. and O. Railroad Company. Gay lost a large hemp warehouse through a fire that May, alleged to have been caused by sparks from a C. and O. freight train. The suit is for \$6,300, claimed to be the value of hemp "backies." The loss of which resulted in Gay's being unable to fulfill a valuable contract.

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Marines Protect American Property In Honduras.

Men Placed At Two Points and Possibly Third.

Talk of Intervention By the United States Stronger.

MAY STEP IN, AIDED BY MEXICO

## GRASS SEED PLANTED IN TOBACCO BEDS

NONASSOCIATION GROWERS SUFFER HEAVY LOSSES.

TEN-MILE STRIP RUINED BY NIGHT MARAUDERS.

MANY REBURN AND REPLANT.

Hopkinsville, Ky., March 21.—[Special.]—Plant bed destruction, instances of which were of such frequent occurrence last night, have broken out again, numbers of beds having been destroyed during this week by sowing the plant beds with grass seed. Three of the outbreaks occurred near Gracey. The plant beds of W. R. Fourcane and W. F. Cox, who live in this county, and Ezekiah Malone, through whose place passes the line between Trigg and Christian counties, having been thus tampered with.

The worst reports come from the southeastern portion of Trigg county, where it is said that for a distance of about ten miles reaching from Roaring Spring to Saline creek, practically every nonassociation farmer has been visited and his plant beds sowed with the grass seed and some of the association members have likewise suffered. Among those in this region whose plant beds were visited were S. H. Moseley, Jack Lum and Sid Hancock and Albert Ledford and his share croppers. Mr. Ledford is a member of the association, but his croppers are not. The grass seed sprout and grow much faster than the tobacco and thus choke out the plants upon which the farmer is dependent for his crop. In some instances the farmer has reburned his plant bed and will reset them, but most of them will attempt to keep the grass pulled out by hand.

## HOLES MAY HAVE BEEN MADE BY BULLETS

FOUL PLAY SUSPECTED IN THE DEATH OF TWO MINERS.

BRUISED BODIES FOUND BY RAILROAD TRACK.

DETECTIVES INVESTIGATING.

Madisonville, Ky., March 21.—[Special.]—Fred Raymer and the man Goodie, who were found dead near Hales, this county, on the Illinois Central railroad Wednesday morning, are thought to have come to their deaths as the result of foul play.

The two men, who were miners, and employed by the Daniel Boone Coal Company, had been to Dawson Springs Tuesday. It was at first thought that they had attempted to beat their way home and had fallen from the train, resulting in their deaths. The bodies of both men were terribly bruised and mangled.

An examination was made at Dawson last night, and according to reports received from there this morning, indications are that the men were shot. Several holes were discovered in their bodies, which were located as though they were made by a bullet from a revolver. Detectives are at work on the case, and it is the belief that something sensational will develop soon.

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## BLUEGRASS DAY BREAKS RECORD

About 16,000 People Saw the Exposition Yesterday.

Attendance For Four Days Fifty Thousand.

To-night For Smiths, Browns and Joneses.

VISITORS FROM UP-STATE.

In point of attendance yesterday was the banner day of the Greater Louisville Exposition, it being estimated that 13,000 people passed into the building during the day. It was Bluegrass Day and spoke well for the interest not only of Central Kentucky people, but of the Louisville people themselves.

It is estimated that during the four days of the exposition over 40,000 people have attended. Each day makes a new record. On the opening day the crowd numbered 3,000. Tuesday 10,000 people passed through the doors; Wednesday, the third day, 11,000 saw the exhibits, and yesterday was the banner day so far, as it was estimated by the management last night that more than 13,000 visitors were in attendance.

"Bluegrass Day" was fittingly celebrated at the Greater Louisville Exposition yesterday, and hundreds of visitors from Central Kentucky journeyed to Louisville to visit the exhibits of the manufacturing industries of the metropolis of the State. Every town in the bluegrass section of the State within a radius of 150 miles of Louisville was well represented in the throng which filled the big Armory during the day, and like the thousands of others who had gone before, all were highly pleased with the Exposition and proclaimed a great commercial future for Louisville. Pendleton C. Beckley, chairman of arrangements during the day, and several assistants extended the hospitality of the management of the Exposition and the people of Louisville generally to the visitors, and everything possible was done more firmly to cement the tie between Louisville and her sister cities in the central part of the State.







Louisville's  
Popular Price  
Store.

**J. BACON & SONS**  
INCORPORATED  
MARKET STREET, BET. THIRD AND FOURTH.  
Telephone 1218 for  
Orders.

## Friday's Bargain Bulletin. A Synopsis of Our Many Attractions On Sale To-day.

**BROWN COTTON**—Yard wide; in desirable lengths; regular 7½¢ quality; special, per yard, 10¢.

**PRINTED ORGANDIES**—Nice and sheer; colorings are very stylish; special, per yard, 10¢.

**HEMSTITCHED CLOTHS**—Some are bleached, others are unbleached; regular 17½¢ value; special, per yard, 15¢.

**TUCKED AND APPLIQUE SCARFS**—Formerly sold for 75¢ apiece; great bargains at, each, 25¢.

**VEILINGS**—Plain mesh and dotted Veilings, in blue, brown and black; 25¢ and 35¢ values; per yard, 15¢.

**TROPICAL SUITINGS**—44 inches wide; in attractive color combinations; \$1.25 value; special, per yard, 98¢.

**FANCY SILKS**—\$1.25 quality; an endless variety of distinctively new patterns; special, per yard, 98¢.

**BELTING RIBBONS**—Regular 45¢ quality; come in the popular Roman stripes, all springing; special, per yard, 25¢.

**FOLDING GO-CARTS**—With ten-inch front and back wheels; regular \$1.50 value; special, each, 1.39.

**DRESS SKIRTS**—Sell usually for \$7.50; in a number of the stylish cloths; special, each, \$4.98.

**LADIES' BELTS**—Wide, soft, black leather, buckles in gold and black; one dollar value; special, 79¢.

**HAIR, CLOTH AND HAT BRUSHES**—Imitation ebony and rosewood backs; fancy mountings; special, 25¢.

**50-INCH SCARFS**—Hemstitched and made with a row of openwork; heavy quality; special, 25¢.

**EASTER POSTAL**—Beautiful embossed Easter Postals, regular 25¢ value; 2 for 10¢; special, each, 10¢.

**TALCUM POWDER**—The celebrated Eastman's Talcum Powder; 15¢ size; special, 9¢.

**LAWN KIMONAS**—Dainty, light patterns, with large sleeves; 25¢ value; special, 19¢.

**SPRING CARPETS**—Tapestry Brussels Carpet, in new designs and colorings; worth 65¢ a yard; special, per yard, 49¢.

**WOOD TO BURN**—Glove and Handkerchief Boxes, in entirely new designs; 25¢ size; special, each, 12½¢.

**8-QUART PRESERVING KETTLES**—Gray Graniteware, with lips; special, 15¢.

**4-QUART PRESERVING KETTLES**—Gray Graniteware, with lips; special, 19¢.

**5-QUART PRESERVING KETTLES**—Gray Graniteware, made with lips; special, 24¢.

**COMPLETE GAS LIGHT**—Packed one in a box; usually sell for 75¢; special, 39¢.

Closing-Out Sale of Fine Teas at Low Prices.

## ILLEGAL FEES

Alleged To Have Been Paid  
By Fiscal Court

FOR SUPERINTENDENCY OF LEXINGTON COURTHOUSE.

INJUNCTION TO RESTRAIN  
FURTHER PAYMENT ASKED.

NEW CITIZENS' LEAGUE SUES.

Lexington, Ky., March 21.—[Special.]—The suit which the Citizens' League, a secret reform organization of this city, had threatened to bring was filed this afternoon in the Circuit Court. L. D. Harney, who is acknowledged to be a member of the league, and was for several years employed as engineer of the courthouse, is the plaintiff, suing for himself and in behalf of other taxpayers of Fayette county, and the Fayette county Fiscal Court, comprising the County Judge and Magistrates, is made a defendant, the other defendant being William A. Harney, jailer of Fayette county. The suit grows out of a charge made by the Citizens' League that the Fiscal Court has illegally paid out to employees large sums of money for the care of the courthouse, and to perform duties which the law requires shall be performed by the jailer as custodian of the courthouse without extra compensation.

It is stated in the petition that "the defendants, the members of the Fayette County Fiscal Court, without warrant or authority of law, and in excess of its jurisdiction, has illegally and wrongfully usurped and assumed to discharge the duties required of the jailer of Fayette county, and has illegally and wrongfully appropriated large sums of money out of the public funds of said county for the support, management and control of the courthouse."

Continuing, the petition states that the sum of \$15,000 is expended annually for this purpose, wrongfully, illegally and without warrant or authority of law, and as relief action for an injunction, or writ of prohibition, restraining the Fiscal Court from appropriating or paying out any of the funds belonging to public revenues arising from taxation or otherwise to any person other than the jailer, who is declared to be the legal custodian of the courthouse and its environs, and from furnishing light, fuel, water and janitor services, and from permitting the Magistrates to occupy certain offices free of rental contrary to law.

Charges Injury To Horses.

C. B. Hawkins, of Woodford county, filed suit here this morning against the Express Company for \$1,999. The plaintiff, who is a well-known breeder of thoroughbred horses, alleges that he made a contract with the defendant to ship five thoroughbred yearlings from Lexington to Sheepshead Bay in June, 1906. He claims that the car in which the horses were shipped was in such bad condition that it was delayed at Cincinnati, and as a result of which the horses became sick and one died, the survivors being in such poor condition as to bring small prices. As a result the

**BABY'S VOICE**

Is the joy of the household, for without it no happiness can be complete. How sweet the picture of mother and babe, angels smile at and commend the thoughts and aspirations of the mother bending over the cradle. The ordeal through which the expectant mother must pass, however, is so full of danger and suffering that she looks forward to the hour when she shall feel the exquisite thrill of motherhood with indescribable dread and fear. Every woman should know that the danger, pain and horror of child-birth can be entirely avoided by the use of **MOTHER'S FRIEND**, a scientific liniment for external use only, which toughens and renders pliable all the parts, and assists nature in its sublime work. By its aid thousands of women have passed this great crisis in perfect safety and without pain. Sold at \$1.00 per bottle by druggists. Our book of priceless value to all women sent free. Address **BRADFIELD REGULATOR CO., Atlanta, Ga.**

plaintiff claims to have been damaged in the sum of \$1,999.

Warm Day In Lexington.

This was the hottest day of the year in Lexington, the thermometer registering 76 degrees at noon, which is several degrees above any previous mark reached since January 1. The warm, clear weather of the past week has been giving rise to the farmers, as it has put the ground in condition for spring plowing, and unless there should be a decided change in the next few days, considerable land will be put in condition for planting, and early oats will be sowed. Notwithstanding the warm temperature, the blue grass is rather backward, the heavy rains and cold weather of the winter season having retarded the growth that the grass has been slow in growing.

Lexington Notes.

The funeral of James N. Donahue, of the Lexington police force, was held this morning at St. Paul's Catholic church, the Rev. Father Barry officiating. The interment was in the Catholic cemetery. The funeral was attended by the uniformed ranks of the Knights of the Maccabees, and by a detail of twenty policemen.

The congregation of the Calvary Baptist church, whose house of worship was burned Monday morning, has decided to erect for use, until the burned structure can be rebuilt, a frame tabernacle on the rear of the church lot. The tabernacle will seat about 600 people, and will be erected as soon as possible.

The Lexington County Club, which recently purchased 100 acres of land on the Mayville place for club grounds, to-day filed a mortgage to the Security Trust Company for \$75,000. This action was taken in pursuance of the plan adopted for financing the club. It is proposed to have 150 members, each of whom shall lend \$500 to the club organization, receiving a bond for that amount, which is secured by the mortgage.

**NEGRO ASSASSINATED BY HIS OWN RACE.**

Hattiesburg Citizens Believe Murder Due To Nonappointment of Negro Clerk.

Hattiesburg, Miss., March 21.—That the recent trouble over a negro clerk at the Hattiesburg post-office was directly responsible for the shooting by an unknown person here yesterday, of the negro banker, E. D. Howell, is a fast-growing suspicion here. Residents of Hattiesburg have appealed to Howell to persuade the negro clerk not to take office. When the negro did not get the position Howell said his life had been threatened by other members of his race.

**WASHOUTS DEMORALIZE TRAIN SERVICE OF 'FRISCO.**

San Francisco, March 21.—The train service out of this city is badly demoralized as a result of the heavy rains and wash-outs. Sacramento at present is entirely cut off by rail from the outside world except the east. If it is seen that there is no other way of bringing in Eastern trains it is the intention of the Pacific Company's intention to run a train to and from Sacramento to Fresno, thence north by way of Modesto, Tracy and Niles into Oakland, a distance of 784 miles. Not an Eastern train left to-day via the Ogden route.

**MOTHER'S FRIEND**

## SAVES HIS NECK.

Jury Gives Fred Stewart Life Imprisonment.

PLEA OF INSANITY TURNED DOWN BY JURORS.

DEFENDANT GETS SENTENCE HE OFFERED TO TAKE.

STATE AFTER DEATH PENALTY.

Barbourville, Ky., March 21.—[Special.]—After being out twenty hours the jury in the case of Fred Stewart, charged with the murder of James Higgins, gave a verdict of life imprisonment in the penitentiary to-day. No appeal will be taken. At a former trial Stewart offered to take a life sentence without going into trial. The insanity plea proved unsuccessful, although four physicians testified as to the mental capacity of Stewart.

Stewart shot and killed James Higgins at North Jellico last fall. The attack was brought about by jealousy over the affections of Miss Jennie Green, a young society woman. Stewart escaped, and when arrested feigned insanity. The trial lasted all week and created great excitement because of the unusual conditions. Forty witnesses were examined on either side, the greater part of the testimony being in regard to the mental condition of Stewart.

G. W. COLLIER DEAD.

Mason of High Standing and Former Union Soldier.

London, Ky., March 21.—[Special.]—George W. Collier, an ex-Union soldier, a Mason of high standing and one of the best-known men in Eastern Kentucky, died of kidney disease at his home in this city at 4 o'clock this afternoon, after an illness of over four years, during nearly all of which time he had been confined to his bed. The funeral will be at the residence tomorrow afternoon at 3 o'clock, conducted by Rev. J. D. Redd, of the Methodist Episcopal church, South, assisted by Rev. J. W. Bogle, of the Baptist church. The burial will be at the Parker cemetery, and will be in charge of Messrs. Lodge F. and A. M., which will be assisted by a member of Masonic lodges. Mr. Collier was born in Lee county, Virginia, seventy-six years ago, but has lived in Owsley, Jackson and Laurel counties since he was grown. He married Miss Sallie Flannery, of the same county, and they have three sons, J. R. Collier, a traveling salesman, and two daughters, D. G. Collier, county clerk of Jackson county, are well known.

OLD SUITS BY MILITIA

Again Called For Trial In Knox Circuit Court.

Barbourville, Ky., March 21.—[Special.]—The suits of various members of the Company E, Second regiment, Kentucky State Guards, against the Louisville and Nashville Railroad Company for alleged damages sustained by inadequate services being rendered to Gov. Beckham's first inauguration, were called for trial in the Knox Circuit Court.

These suits have been in the court for the past seven years and no decision has been rendered. The complaint is suing for \$10,000 damages, alleging to have suffered from the inadequate services being rendered to Frankfort. Twice have test cases resulted in hung juries, and several other cases have been withdrawn before being tried out. Great expense has been entailed during the seven years' litigation, some of the best lawyers in this section being employed on each side.

NARROW ESCAPE IN CREEK.

Two Men Drive Off Road and Almost Drown.

Mayville, Ky., March 21.—[Special.]—Squire W. H. Rice and a companion, had a narrow escape from drowning here to-night. They were driving home and were on the connection pipe extending from the city to the Mt. Sterling turnpike. The backwater had been over the pipe and was just down to the edge, while the darkness was intense. They were in a buggy and met another man in attempting to pass, drove into the water. The horse began to plunge and kick, breaking up the buggy.

Squire Rice, unable to see, went into the water instead of coming out and Maj. John Walsh, having driven up, waded in and rescued him. The companion was seriously injured by the horse which got out in safety.

LAND GRANTORS LOSE.

Court Decides Against Old Virginia Company.

Mayking, Ky., March 21.—[Special.]—After arguments by Jack Hendrick, of Kentucky Coal Lands Company, and J. William Stewart, of Ashland, and representing the Great Northern Coal and Coke Company's interest, a judgment was given dismissing the claims of the old Virginia land grants in Hindman, Knott county, to-day. Millions of dollars' worth of Eastern Kentucky coal lands are claimed on old Virginia grants.

Asks \$30,000 For Death.

Frankfort, Ky., March 21.—[Special.]—A suit for \$30,000 damages was filed in the Franklin Circuit Court this afternoon by Mrs. Elizabeth Milton, administratrix of Robert Milton, deceased, against the Frankfort and Versailles Traction Company. Robert Milton was a motorman in the employ of the traction company and died as a result of injuries sustained in a collision between two street cars several weeks ago.

Kentucky Boy Wins Honors.

Glasgow, Ky., March 21.—Cleon A. Summers, the son of Mr. Murray Summers, formerly of this county, but now of Smith's Grove, Warren county, has been elected to represent Cumberland University in the Tennessee intercollegiate oratorical contest. Mr. Summers will graduate in the law school of the university in June, and then come immediately to Glasgow to practice law.

Mrs. Samuel Fischer Dead.

Elizabethtown, Ky., March 21.—[Special.]—Mrs. Samuel Fischer, wife of Samuel Fischer, Sr., is dead, the funeral taking place yesterday evening in this city. The deceased was a native of Switzerland, and was fifty-five years old. She is survived by her husband and five children, Samuel, Louis, Adolf, Fischer and Mary T. Fischer, of this county, and Frederick Fischer, of Switzerland.

Capt. W. B. Winans Dead.

Bowling Green, Ky., March 21.—[Special.]—Capt. W. B. Winans, aged seventy-seven years, died at his home in this city this afternoon, after a lingering illness. Capt. Winans for years conducted the Litter House, near the depot, and was known to the traveling public throughout the country.

He was a prominent member of the Odd Fellows and Knights of Honor.

Indicted For Sturgis Riot.

Uniontown, Ky., March 21.—Henry Delock and Hensel Moore, of Sturgis, were indicted on the charge of manslaughter and their bond fixed at \$2,000 each. Both men were arrested following the Christmas labor riot at Sturgis, in which three men were killed and Quinn Moore, the big guard, and a number of miners were seriously wounded.

Sued For Overpaid Salary.

Greenwood, Ky., March 21.—[Special.]—T. J. Sparks, ex-county judge of Muhlenberg county, has replaced a Circuit Court judgment of \$1,850, money alleged to have been illegally allowed him while County Judge. The suit was instituted in the name of an individual and all other citizens of the county. The Fiscal Court refused to bring the suit.

Confederate Veteran Dead.

Carrollton, Ky., March 21.—[Special.]—Daniel Cox, aged sixty-six, a Confederate veteran, died this morning at 1 o'clock, after a long illness of a few days. Mr. Cox was a successful farmer. His wife, nee Barbara Vance, and three sons survive, Arthur W., who is County Attorney, and Benjamin and Kirby, who are farmers.

Plans Accepted For Fair Building.

Hardinsburg, Ky., March 21.—Plans for the erection of the buildings for the Brokenbridge county fair, submitted by Draughtsman Robert E. Moorhead, of Glendale, have been accepted by the committee, and work upon the buildings will commence at once. The fair will hold a three-day session, beginning August 27.

New Secretary A. S. of E.

Owensboro, Ky., March 21.—S. B. Lee, of this city, has just received his appointment as secretary of the National Tobacco Growers' Department of the A. S. of E. to succeed C. Hays Taylor, of Virginia, who resigned to go into the real estate business at Washington, D. C.

Capt. Joe Flinch III.

Paducah, Ky., March 21.—[Special.]—Capt. Joe B. Flinch, business manager of the Marine Engineers' Association for the Mississippi river and tributaries, is seriously ill at New Orleans, where he went a few weeks ago on business. His wife went to his bedside last night.

\$4,000 For Y. M. C. A. Home.

Harrodsburg, Ky., March 21.—The canvass for funds for the purpose of erecting a Y. M. C. A. building in this city is progressing nicely, and nearly \$4,000 has been secured. The business men are contributing liberally to the project.

SUES FOR MONEY PAID INTO COURT AS FINES.

Test Case To Determine Status of Persons Convicted In the City Court.

Mt. Sterling, Ky., March 21.—[Special.]—A novel and uncommon suit has been filed in the Montgomery Circuit Court against the city of Mt. Sterling. Almazan Byrd through his attorneys, E. W. Benf and John A. Judy, of this city, has filed the suit. Byrd alleges, he alleges, to be due him for legal fees imposed on him and collected by the city of Mt. Sterling, and that the City Court several years ago allowed the Police Judge to tax \$3 for costs to every fine—\$2 for each fine—collected by the city. Within the past five years several hundred fines have been levied in this manner. Byrd alleges that he has been forced to pay these fines, and that the City Court of Appeals it declares such fees illegal, with the exception of fifty cents for the officer making the arrest.

Mr. Byrd has been arrested in the last five years thirty times, and having paid these fines, he claims to be entitled to a suit to recover the illegal part of the money paid. The case, which will come up at the April term of the court, will be watched with intense interest by all the attorneys at the bar in this city and in the State, as the result will be of great importance to them. This is the only suit of the kind on record in Kentucky, and if Mr. Byrd wins Messrs. Benf & Judy have \$50 other suits of similar nature which they will file at once.

The suit filed by Mr. Byrd will be vigorously defended by the city, for, under this ordinance, persons have been fined in Police Court to the amount of several thousand dollars, and if this suit goes against the city it will doubtless leave the amount to pay back. Mr. Byrd is a prosperous farmer residing near this city and is well known.

**YOUNG TRAIN ROBBER HELD UP AS WARNING.**

Railroad President Says Boy Shows What Cigarettes and Drink Will Do.

Washington, March 21.—[Special.]—A lesson on the evils of whisky drinking and cigarette smoking is drawn by W. A. Garrett, president of the Seaboard Air Line, from the conviction and sentence of Percy Martin, a young man who recently robbed a Seaboard Air Line train in Mecklenburg county, Va. President Garrett has placed himself on record as being strongly opposed to both whisky and cigarettes, and takes occasion, from the Martin case, to sound a warning, and the following is the gist of the case by Mr. Garrett, as has been furnished the newspapers by Seaboard agents:

"The story of Percy Martin, the young man who recently attempted, single handed, to hold up and rob a Seaboard Air Line train in Mecklenburg county, Va., is certainly a strong argument in favor of temperance and anti-cigarette measures. This young man, by the constant smoking of cigarettes and drinking to excess, had undoubtedly weakened his intellect, greatly, and he further distorted his mind by the dime novel romanticism until, fired by the worthy example set by Jesse James and others of his ilk, he attempted to hold up and rob a Seaboard train several months ago. Of course, there could be no ending to such an attempt, and now the young man is serving a thirteen-year sentence to the Mecklenburg county penitentiary for the crime of attempting to bring into practice impossible ten-cent absurdities into modern Twentieth century reality."

**OFFICERS NAMED TO REPRESENT KENTUCKY.**

Will Go To Meeting of Interstate National Guard Association.

Frankfort, Ky., March 21.—[Special.]—At the department of Adjutant General Gray it was announced that Austin Kinnard, of Louisville, for the first regiment, Col. J. Embury Allen, of Lexington, for the second regiment, and Col. Joseph Henry, of Hopkinsville, for the third regiment, will represent Kentucky at the Interstate National Guard Association this year. The meeting will be held at Columbia, S. C., March 25 and 26 next. Because of personal business at his home at Cadiz, Adjutant General Lawrence will not attend the meeting.

**CASTORIA.**  
The Kind You Have Always Bought  
Beware the Signature  
Charles H. Fletcher

## DELIBERATE CONSPIRACY

Charged Against L. and N. and Bourbon Yards.

Central Stockyards Company Sues Them For \$250,000.

Alleges Effort To Destroy Business of Plaintiff.

ENTIRE PLANT WILL BE SOLD.

A damage suit for \$250,000 was brought yesterday by the Central Stockyards Company, now in the hands of a receiver, against the Louisville and Nashville Railroad Company, in which both defendants accused of a deliberate conspiracy to destroy the business of the plaintiff.

The suit is a result of the action for injunction which the Central Stockyards Company, after much litigation, finally secured against the Louisville and Nashville Railroad Company and under the terms of which the railroad was supposed to have been prevented from pursuing its alleged policy of diversion of cattle from the plaintiff's plant to that of the Bourbon Yards.

The court appointed J. H. Ashcraft, Jr., receiver of the Central Stockyards Company, and qualified him to represent all the bondholders and creditors. The action stands in his name.

The plaintiff company established its stockyards in 1901 in Jefferson county, near the city limits, nine miles from the Louisville and Nashville terminals. It is seriously ill at New Orleans, where he went a few weeks ago on business. His wife went to his bedside last night.

See the formation of the alleged conspiracy between the two defendants it is averred that it was customary for these two railroads and all other railroads having points of actual connection to switch cars from one road to the spur of the other roads for the convenience of shippers. The plaintiff declares that there are two such points of connection between the Louisville and Nashville and the Southern, one at the Four Avenue crossing and one at Seventh and Magnolia streets.

It is charged that as the result of the conspiracy an "unlawful, monopolistic and oppressive" arrangement was made and the plaintiff was drawn up. By the terms of this contract, it is said that the Louisville and Nashville Railroad Company agreed not to lease, rent or sell any of its ground in the city of Louisville to the Central Stockyards Company, and to otherwise facilitate such establishment and to deliver to the Bourbon Yards all stock shipped over the road to the city of Louisville. In case of stock billed to other persons or firms, it is said to have been provided that the Bourbon Stockyards was to be the sole live stock depot of the Louisville and Nashville in Louisville.

Plaintiff also charges that the defendant did not only seek to build up the Bourbon Stockyards Company's business at the expense of the Central Stockyards Company, but to impair, if possible, to destroy the plaintiff's business by unlawful means. In pursuance of the alleged unlawful contract, orders are said to have been sent by the Louisville and Nashville to its general freight agents in all parts of its entire system to use special pallis to see that the bills of lading should not specify any yard or siding in the city as a point for delivery of freight except its regular depot, namely, the Bourbon Stockyards.

Other Concerns Implicated.

It is further charged by the plaintiff that the Bourbon Stockyards Company entered into a conspiracy with the commission merchants at its plant whereby it increased its capitalization \$500,000 and donated to the commission merchants the Louisville Packing Company and the Conrad Provision Company \$200,000 worth of said stock in consideration of an agreement whereby the commission merchants exclusively at the Bourbon Stockyards and to use all their efforts to divert stock from every other yard.

The plaintiff says that the Louisville and Nashville have never really observed the order of court requiring delivery of cattle at the Central Stockyards Company, now in the hands of a receiver, and that the Louisville and Nashville have been diverting live stock to the Bourbon yards to the great damage of the plaintiff.

The attorneys for the plaintiff are Dodd & Dodd.

Property Ordered Sold.

Judge Kirby has signed a judgment whereby the commission of the court is empowered to sell the property of the Central Stockyards Company at auction at the courthouse door. This step is the result of an uncontested suit filed some months ago by the bondholders and other creditors of the concern. It is predicted at present that the sale will result in a reorganization of the Central Stockyards Company. Those interested in the property feel that it will realize a sum sufficient to discharge the obligations in full.

The debt as represented by the first mortgage bonds, aggregating \$90,000, is held as follows: J. F. Brainerd, \$33,944.89; R. C. Watkins, \$15,744.17; Southern Railway Company, \$11,180.46; Frank Bray, \$5,584.73. The debt under the second mortgage of \$50,000 is apportioned as follows: In F. Brainerd, \$20,000; R. C. Watkins, \$2,500.90; Southern National Bank, \$4,922.24. The following indebtedness is secured by: J. F. Brainerd, \$16,485.50; R. C. Watkins, \$3,292.94; Southern National Bank, \$4,817.77. The property includes buildings, franchise and about thirty acres of ground. In its capacity as trustee the Louisville and Nashville are bound to see that the property is sold for the benefit of the debtors and Dodd & Dodd, \$5,000 as attorneys' fee.

PROMINENT CITIZENS ACCUSED OF MURDER.

Fayette, Mo., March 21.—Enoch Bobbitt and his son-in-law, R. T. Goodwin, prominent citizens of Booneboro, were arrested here to-day on complaint of Vaughn Smith, son of Frank Smith, a tenant of Bobbitt, who was assassinated in his home near Booneboro Monday night. R. D. Kivett, another suspect, was arrested at New Franklin, Mo., to-day. Bobbitt and Goodwin were placed in jail charged with murder.

The Sheriff has gone after Kivett, Frank Smith and Bobbitt had trouble over the rent and the time Smith was killed a Constable was in the house, having served ejectment papers on Smith that night.

SENATOR MCREARY WILL SPEND SUMMER AT HOME.

Richmond, Ky., March 21.—[Special.]—United States Senator McCreary arrived home to-day from De Land, Fla., where he went immediately after the adjournment of Congress. The Senator, who is in the best of health, will remain at home all the summer. Mrs. McCreary, who has been in De Land since the winter, did not accompany her husband home. The Senator reports Mrs. McCreary's health much improved.

Illegal Contract Alleged.

It is charged that as the result of the conspiracy an "unlawful, monopolistic and oppressive" arrangement was made and the plaintiff was drawn up. By the terms of this contract, it is said that the Louisville and Nashville Railroad Company agreed not to lease, rent or sell any of its ground in the city of Louisville to the Central Stockyards Company, and to otherwise facilitate such establishment and to deliver to the Bourbon Yards all stock shipped over the road to the city of Louisville. In case of stock billed to other persons or firms, it is said to have been provided that the Bourbon Stockyards was to be the sole live stock depot of the Louisville and Nashville in Louisville.

Plaintiff also charges that the defendant did not only seek to build up the Bourbon Stockyards Company's business at the expense of the Central Stockyards Company, but to impair, if possible, to destroy the plaintiff's business by unlawful means. In pursuance of the alleged unlawful contract, orders are said to have been sent by the Louisville and Nashville to its general freight agents in all parts of its entire system to use special pallis to see that the bills of lading should not specify any yard or siding in the city as a point for delivery of freight except its regular depot, namely, the Bourbon Stockyards.

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# Courier-Journal.

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Louisville, Ky., 1843.

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stamps. The editors are glad to examine  
MSS., but return postage must be in-  
cluded.

## TEN PAGES

FRIDAY ..... MARCH 22, 1907

"Business."  
Thursday Evening, March 21.—After  
early irregularity, New York market  
showed firmness, with an upward ten-  
dency, resulting in fractional gains for  
the day.

Money on call was steady at 2 1/2 to 4 1/2  
per cent, ruling at 4. Time loans were  
strong at 5. Sterling exchange was firm.  
The Chicago wheat market was strong,  
the May delivery closing up 3/8 to 1/2  
cent, and was 5c higher. Cattle were up 1/2  
cent. The cotton market opened 7/8 to 9/16  
up, and after selling at a net advance  
of 15 to 17 points, turned easier, but  
closed near the best figure of the day.  
The Chicago cattle market was weak;  
the hog market 5c lower, and the sheep  
market weak.

Mr. Damrosch and Louisville.  
It is sincerely to be hoped that Mr.  
Damrosch's expectation that within a  
few years Louisville will have a per-  
manent symphony orchestra will be  
realized.

Recent years have witnessed a mar-  
velous growth of wealth in Louisville.  
There has been a revolution in mate-  
rial and industrial conditions. There  
is no city in the country that can  
point to such a record of building, pros-  
perity, expansion and business activity  
in proportion to population and in com-  
parison with previous figures. Greater  
Louisville has arrived, indeed.

But in the aesthetic field Louisville  
has not advanced a step. In the arts  
we are no better off than we were ten  
years ago. In some respects we are  
worse off.

A city that is concerned only in com-  
mercial works does not offer its in-  
habitants all that makes life worth  
while. It does not grow in intellectu-  
ally and refinement. It does not provide  
its people uplifting influences that  
make for a softening of their natures  
and the exaltation of their tastes. To-  
day Louisville citizens who crave the  
best in music starve. Now and then  
we have a piano or song recital by  
some virtuoso, but one piano or one  
voice furnishes a feeble substitute for  
the eloquent and elastic orchestra. If  
we want the master works of master  
composers, the great symphonies and  
symphonic poems of Beethoven, Liszt,  
Brahms, Tchaikovsky, Dvorak, Schu-  
mann and the like, we must go else-  
where to hear them. If we stay at  
home we do not get them.

One of the first steps toward Louis-  
ville's aesthetic regeneration should be  
the acquisition of an orchestra capable  
of playing the great works in an ar-  
tistic style. Until by means of such an  
orchestra Louisville people have an  
opportunity to develop a musical sense  
Louisville will continue to be regarded  
as a sterile field. So little symphonic  
music is heard there that it is strange  
to the masses of the population. Many  
persons imagine they do not like it.  
All the while, familiarity with its no-  
bility, its grandeur, its meaning and  
its melody would breed in some of the  
most skeptical a surprising love for it.  
It is the chance to develop an appetite  
that is needed. An appetite hungers for  
only what it knows about.

The Music Festival movement is ad-  
mirable. It is designed to stimulate a  
musical appetite. But intervals of two  
years are rather long to be efficient  
in creating a spontaneous demand for  
music among the people. A symphony  
concert every two weeks would be more  
productive. A permanent orchestra is  
what we need most, after all. It would  
be a dynamo to give power to all  
branches of aesthetic activity. It  
would make Beethoven, Tchaikovsky  
and the great constellation of com-  
posers something more than names. It  
is to be hoped, be it repeated, that Mr.  
Damrosch's expectations will be real-  
ized.

Rural Roads.  
That was a sensible presentation of  
the value of good roads which a Ken-  
tucky Representative gave in an inter-  
view. More and more do Americans  
realize the part roads play in every-  
day affairs and the share they contrib-  
ute to commerce, and if the feeling con-

tinues to grow the time ought to come  
eventually when America's road system  
shall be unexcelled. Railroads and trol-  
ley lines are indispensable, but they fill  
quite a different role from the pike.  
You have to use the pike to get to the  
railroad or trolley station. You have to  
use the road for rural traffic. You  
cannot haul your crops to market, visit  
your friends nor conduct your daily  
routine, if you live in the country, with-  
out the road. Good roads make life  
in the country pleasant, reduce the cost  
of transportation and add values to the  
land; bad roads can kill a community.  
A section with bad roads must content  
itself with isolation, stagnation and low  
values.

The Representative's plan for nation-  
al legislation and appropriations, with  
a national commission inclusive, is  
rather visionary, but his call for good  
roads is sane and practical. Kentucky  
cannot have too good roads. Just now  
many of her roads are too bad.

Unfairness Rebuked.  
The Appellate Court, in declaring un-  
constitutional the redistricting bill  
passed by the General Assembly of  
1906, rebuked unfairness in strong  
terms and leaves the mistaken leaders  
who planned the act in a position at  
once humiliating to themselves and  
embarrassing to the Democratic party  
in Kentucky.

In the opinion of the Appellate Court  
the Constitution does not provide that  
equality of representation shall be ex-  
acted, but that it shall be as sug-  
gested by ordinary knowledge and a  
sense of common justice. The act un-  
der discussion is held to be grossly vi-  
olative of Section 33 of the Constitution,  
in that the injunction as to equality  
between districts was not even preten-  
ded to be obeyed by the General Assem-  
bly.

"We have before us," says the court,  
"twelve Democratic counties, each con-  
stituting a separate district, the popu-  
lation of the largest of which is 12,131  
and the smallest 7,407, each given a Rep-  
resentative. \*\*\* The unit for representa-

tion is 21,471. Some of these counties  
have less than one-half of the unit of  
representation, and the rest have little  
more than one-half, while there are  
twelve Republican districts, composed  
in a large part of two or three coun-  
ties each, the smallest of which dis-  
tricts has a population of 26,615, and the  
largest 53,263. The first twelve dis-  
tricts, composed of one county each,  
have an aggregate population of 124,-  
933, while the aggregate population of  
the second twelve districts is 446,451.  
The first twelve districts are entitled  
to six Representatives, tested by the  
average ratio, but are given twelve."

In the language of the court, "equal-  
ity of representation is a vital principle  
of Democracy, and in proportion as this  
is denied the Government becomes ol-  
igarchical or monarchical, and republi-  
can institutions become impossible."

An excerpt from the opinion follows:  
"Inequality of representation is a tyr-  
anny to which no people worthy of freedom  
will submit tamely. To say that a man  
in Spencer county shall have seven times  
as much influence in governing the State  
as a man in Ohio, Butler and Johnson  
counties, is to say that six men in those  
counties are not represented in the Gov-  
ernment at all; they are required to sub-  
mit to taxation without representation.  
It was this kind of oppression which  
inspired that great struggle for freedom  
which began on the green at Lexington  
in 1775, and ended at Yorktown in 1781.  
Equality of representation is the basis of  
patriotism, to say that six men in those  
counties are not represented is to say  
that the State which oppresses him."

Honesty is always the best policy, in  
the business of Government as well as  
in private business. Law-making bodies  
that do not recognize the principle as  
the basis of successful government, not  
less than the promoters of business  
enterprises, build their houses upon the  
sand, and in time the wind blows and  
the rains fall as surely as night follows  
day.

The Democratic party in Kentucky  
must retain its supremacy, not by ger-  
ymandering conducted under the rule  
of the game of chuck-a-luck, under the  
guidance of short-sighted politicians,  
but by getting back to first principles  
and appealing to the majority, not by  
protestations of a degree of honesty and  
decency never possessed and never to  
be possessed by the Republicans, but  
by the proof of it.

Kentuckians neither love nor trust  
Republican rule. They are not likely  
to saddle it upon themselves unless it  
be for the purpose of reading a lesson to  
some very "practical" politicians who  
regard a party emblem as a banner un-  
der which to march into offices of  
emolument, with or without honor,  
rather than as a guarantee of good  
government. In touching upon the red-  
istricting act of 1893 the Appellate  
Court makes a suggestion that might  
well be taken as a hint. A Democratic  
Legislature will be elected next fall.  
It should go to Frankfort pledged to  
correct whatever evils exist under the  
law referred to. The cloud upon the  
horizon is something bigger than a  
man's hand. Another rain-making  
movement like that which resulted in  
the enactment of the gerrymander law  
of 1906 might cause a storm of no small  
proportions and of far-reaching re-  
sults.

In discharging its duty fearlessly the  
Appellate Court has done valuable  
service to the State, and incidentally  
dropped a word to the wise which  
should be sufficient.

Foraker in the Black Belt.  
Down at Jackson, Miss., the other day  
the negro Republicans met and, under  
the guidance of Roscoe Simmons, a  
New York negro lieutenant of Senator  
Foraker, adopted resolutions denounc-  
ing the Roosevelt Administration and  
apostrophizing Foraker. It is said that

should have little difficulty in accom-  
plishing his purpose.

Since reconstruction days the negro  
adviser for his best friend. Like the  
carpetbagger who went into the cotton  
States after the Civil War to tell freed-  
men that they could dominate State  
politics and domineer over the whites,  
that they could live without working,  
marry the daughters of their former  
masters and enjoy plug hats and social  
prominence forever and a day if they  
were advised by their friends, Mr.  
Foraker goes into the South in 1907 as  
the champion of the negro for the pur-  
pose of arraying him against those most  
interested in his welfare, well knowing  
that he is guided chiefly by his emo-  
tions and is in the hands of the agitator  
who proclaims himself for the negro,  
right or wrong, and proclaims  
it loudest when wrong.

President Roosevelt, who makes a  
distinction between the negro and the  
negro outlaws, is a much better friend  
of the race than Mr. Foraker. Even  
Mr. Tillman, of South Carolina, breath-  
ing fire and brimstone at the Black  
Demon, is at heart no worse enemy of  
the race than the politician who ad-  
dresses the negroes by an appeal to race  
prejudice to use them for his own po-  
litical ends.

The political pot having begun to sim-  
mer Mr. Foraker has set about pitching  
into it.

"Eye of newt, and toe of frog,  
Albatross' egg and herring's wing;  
Gill of goat, and sliver of yew,  
Slivered in the moon's eclipse,  
Nose of Turk and Tartar's lip."  
"Double, double, toil and trouble,"  
will be the refrain of the Ohio States-  
man's song between now and the na-  
tional convention, and if he does not  
succeed in stirring up a good deal of  
the latter it will be demonstrated that  
during the last forty years the negro  
has learned to distinguish between the  
unselfish advocate of equal rights and  
the carpetbaggers—a result hardly to be  
expected.

Our Policy in Cuba.  
The United States Government has  
intervened in Cuba, and a provisional  
government under Mr. Macgoon, ap-  
pointed by the President of the United  
States, is in charge. So far we have  
a definite Cuban policy, but beyond  
this we run into the region of the un-  
known. How long we are to stay,  
what we shall do while we remain, are  
questions which attract little attention  
in this country. In Cuba they are dis-  
cussed with a good deal of heat, but  
without reaching anything resembling  
an agreement.

The so-called Liberal party was the  
cause of the intervention by render-  
ing the continuance of the Palma gov-  
ernment impossible. Its leaders are  
anxious to take charge of public af-  
fairs and run them after their own  
fashion. But the idea that they can  
give the island an orderly and stable  
government that will observe its obli-  
gations toward the United States and  
all mankind is not entertained by any-  
body but themselves. The business ele-  
ment is sincerely afraid of any such  
government, and largely desires the  
United States to stay. Many are out-  
spoken for annexation, but others ap-  
pear indifferent and keep aloof from  
politics. It is not improbable that many  
refrain from participation in politics  
because their position is unpopular and  
would have a damaging effect on their  
business. The formation of a conserva-  
tive party in Cuba is, therefore, dif-  
ficult, and the fear of the Liberals does  
not seem to promote it.

Meantime, the foreign element in the  
population of Cuba are practically  
unanimous in deprecating the with-  
drawal of the United States. In such  
an event they freely predict that an-  
archy would prevail, that neither life  
nor property would be safe. Moreover, it  
is represented that we cannot with-  
draw without the consent of the other  
nations that have recognized our power  
in Cuba, such as Great Britain, France  
and Russia. By taking charge there,  
it is argued, we have made ourselves  
responsible to others for orderly gov-  
ernment and the discharge of Cuba's  
treaty obligations to other powers.

The Government of the United States  
intervened in Cuba in accordance with  
a provision of the Platt amendment,  
which was also made a part of the  
Cuban Constitution. The provision on  
the subject lays down the reasons for  
which this country may intervene—  
"for the preservation of Cuban inde-  
pendence, for the maintenance of a  
Government adequate for the protection  
of life, property and individual lib-  
erty, and for discharging the obliga-  
tions with respect to Cuba imposed by  
the treaty of Paris in the United  
States, now to be assumed and under-  
taken by the Government of Cuba." Hence  
it is argued by Secretary Root that  
our Government in Cuba, although  
called provisional, is nevertheless the  
constitutional government of the re-  
public. The right of the United States  
to intervene is undoubtedly constitu-  
tional in Cuba whenever the necessity  
mentioned in the Constitution arises.  
That it did arise seems to be every-  
where conceded, and the de facto Gov-  
ernment actually requested it. Having  
constitutionally intervened the Govern-  
ment of the United States may remain  
as long as the condition requiring it  
continues. Having gone to Cuba for  
the purposes named in the Platt amend-  
ment, it can hardly withdraw until  
those purposes be accomplished.

It may be that the Liberal party has  
back of it a majority of the Cuban  
people, but that does not matter un-  
less it is prepared to give the island  
the sort of government which the Lib-  
eral party is prepared to give the  
island may be inferred from the state-  
ment that it is largely led by insur-  
gent Generals, and made up of the  
half-savage negroes who formed the  
rank and file of their army. These

military politicians are admitted to  
have promised their followers to turn  
Havana over to them to be plundered,  
and this would have been done but for  
the timely arrival of the American  
forces. It is pretty evident that to  
withdraw in favor of such a crowd,  
even if it did not lead to the anarchy  
predicted, would utterly fail to give to  
Cuba that orderly and stable govern-  
ment for the maintenance of which we  
intervened.

The prospect of our getting out of  
Cuba speedily is not good by any  
means. We have incurred two sorts of  
obligations to this island. We intervened  
to put an end to Spanish rule with a  
declaration that we were not actuated  
by any purposes of self-aggrandize-  
ment. We forced the Platt amendment  
into the Cuban's Constitution and  
thereby acquired the right to intervene  
for certain purposes. Those purposes  
were not accomplished nor is their ac-  
complishment in sight. When there is  
an assurance of an orderly Government  
such as we are pledged to maintain we  
may withdraw, but when are we likely  
to get such an assurance? Shall we  
ever get it? The probability of it seems  
remote. It may not be impossible, but  
those who think it will never come are  
numerous both in the United States and  
in Cuba. Meantime we seem to be play-  
ing a waiting game.

Alas, the Chicago Evening Post,  
usually a well-balanced and self-pos-  
sessed journal, has lost its head. For  
instance:  
"Somehow or other the impression  
prevailed, out here at least, that Mr. Je-  
rome was a great lawyer, but his recent  
actions and the manner in which Mr. De-  
lmas has handled him have torn great  
rents in this belief and left us only the  
impression of a man who is a great  
liar in the black winds of March. By his  
treatment of Evelyn Thaw during her  
cross-examination and by his subsequent  
more or less futile attempts to get out  
of the State's lawyer has won, not the ad-  
miration, but the contempt of a large  
majority of the people. Whether or not  
he is fighting a losing battle is aside from  
the main issue, for defeat can be as ho-  
rrible if not as much acclaimed as vic-  
tory. Mr. Jerome, however, has discarded  
honor as a hampering garment and has  
staked everything upon the final outcome  
of guilt or not guilty. His friends will  
regret the methods to which he has seen  
fit to resort. They reflect credit on nei-  
ther the man nor his office, and what  
may be the verdict in the Thaw trial Mr.  
Jerome has lost the respect of thousands  
who once admired even if they did not  
know him."

What would you have Mr. Jerome  
do? Place the hysterical tumult of the  
yellow sheets above his sworn duty  
and throw up the sponge? Surrender,  
with apologies, to the wily attorney for  
the defense? Sit silent and inactive  
and allow the defense to perpetrate  
any bit of theatricalism and cooked-up  
sensationalism it may have a mind to  
without seeking to puncture it? What do  
you think a Prosecuting Attorney is  
for, anyhow? Besides, do not forget  
that it was not Mr. Jerome but Mr.  
Delmas who had Evelyn Thaw "ex-  
pose her soul" and lay bare the scan-  
dals of her life. Mr. Jerome merely  
cross-examined her.

The passage of the amendment to the  
denatured alcohol act, which goes into  
operation in September, raises the ques-  
tion how far it will permit of distilla-  
tion by farmers. Senator Hanesbrough,  
who was very efficient in getting the  
amended act passed, suggests that the  
Secretary of Agriculture issue a circular  
on the subject for the information of  
farmers and others. But we have  
still to hear from the Commissioner of  
Internal Revenue, for new regulations  
will be needed for the new law. Until  
these are issued a circular from the  
Agricultural Department would be pre-  
mature, or at least would have to be  
supplemented. The hope is expressed  
that the new regulations may be is-  
sued as early as July 1, which will be  
two months before the law takes effect.  
When these are available a circular  
from the Agricultural Department  
would be in order.

Miss Margaret Anglin contributes to  
a magazine an illuminating article in  
which she declares that the house-  
keeper must be able to "hold the house  
at all times in the hollow of her hand."  
This is probably a new scheme for  
secreting a modern flat when the rent  
man comes round.

The Philadelphia Inquirer says the  
President ought to know what kind of  
a man ought to succeed him. But a  
gentleman in Indiana thinks he has  
missed it by about four feet too much  
around the waist and three feet too  
little from toe to crown.

A man in Newark, N. J., severely  
wounded a small boy who tied the tails  
of two tomatos together and hung them  
over the knob of his front door at mid-  
night. The gentleman's action was in  
every way worthy. We must protect  
our dumb animals.

President Castro, upon the occasion  
of his return to his public duties, was  
given an ovation. Sometime previous  
to his illness he scooped up about all  
the material things of life without  
waiting for the public to give them to  
him.

Anna Gould, who gave \$175,000 for  
a divorce from Boni, is developing a  
little more of the business sense of her  
late father than she had when she  
gave several millions for the Count.

Again we demand that a tracer be  
sent after the Philander C. Knox pres-  
idential boom. Carelessness with small  
packages is reprehensible in the ex-  
treme.

Every secretary of an American  
legation is expected to be a good  
dancer, but ground and lofty tumbling  
is all that is expected of Secretary  
Loeb.

It would be a great thing if more  
of our small investors and fewer of  
our ocean liners would strike rocks  
instead of water.

## Historic Churches of the United States.

By Frederic J. Haskin.

While George Washington, a devout  
churchgoer, worshipped in many  
churches in the United States, there is  
only one that has the distinction of  
having been designed by him. This is  
Pollock church, about seven miles from  
Mount Vernon. He gave both money  
and labor to its building, and was ves-  
tryman there for a long while. It was  
begun in 1784, and finished in 1773. Dur-  
ing a part of the last century it was  
in decay, but history-loving people will  
save it from further dissolution. It is  
in this church that the eccentric Mason  
Weems preached. Weems was the bi-  
ographer of Washington who is ac-  
cused of manufacturing the cherry-tree  
story, yet whose book was immensely  
popular and still has a good sale.

Washington also had a membership  
in Christ Church, Alexandria, the best  
preserved of all the old Virginia fane-  
s. Here the first President paid the high-  
est price for a pew, and this has been  
kept by some member of his family ever  
since. It was in this churchyard that  
Washington and his neighbors gathered  
on Sunday mornings in 1774 and gravely  
discussed the advisability of revolting  
against England. It was here that he  
came nine years later, the conquering  
hero, the retired leader of a victorious  
army, and worshipped as simply and as  
quietly as any other citizen.

On the receipt of the news that the  
British army had retired from America  
a great service of thanksgiving was  
held in Christ Church. Wreaths and  
motives adorned the wall and the min-  
ister preached from the text "Ye, thou-  
shalt see thy children's children and  
peace upon Israel." The decorations  
were kept in place until Washington's  
return in time for the Christmas cele-  
bration the next week. The church was  
kept open for daily prayer during the  
period of the War of 1812, while the  
English ships swung at anchor at the  
wharves demanding all the city's port-  
able property for its ransom. Perhaps  
the prayers saved it, for the vessels  
eventually drew away without damage  
to the town. Christ Church seems to  
have had an early faith in the execu-  
tive ability of women, for two of the  
early sextons were women, marching  
sedately down the aisles and locking  
the pew doors with all the dignity of  
their masculine predecessors. The  
church was said to have been designed  
by one James Wren, a descendant of  
Sir Christopher Wren.

Washington also held membership in  
Pais church, a little further up the  
river. On account of its lying between  
the lines in the Civil War, the rector  
was in continual doubt as to whether  
it would be safe to pray for "the  
President of the United States," or "the  
President of the Confederate States,"  
as the prayer-books of the opposing  
factions decreed. So he wisely sub-  
stituted "the Governor of Virginia" and  
so saved himself from suspicion. The  
church was destroyed by the British in  
1862. The house of England was  
himself interested in the building  
of this little church, the brick for  
which was brought over from London.

The present North church, in  
Boston, is the successor to the one in  
which Paul Revere is said to have hung  
his signal lights on that April night of  
long ago. The first sermon was pre-  
ached in the old church in 1655, but the  
edifice was demolished by the British  
because it had been used as a depot for  
the hatching of the dead on to the  
pulpit. It was a custom long ago to  
carry the faces of the dead on to the  
coffins, and then place them among  
the church memorials. In this  
church the memorial bearings are those  
of the laird family. The present  
church building was erected in 1714, and  
the British coat of arms is still on  
the wall. It has been preserved so far  
by the fund bequeathed it by the Rev.  
Richard Ludlow, an early rector. It  
was in this church that during Archie  
Campbell, a British officer, carried  
a pistol to the face of the patriot  
leader in this country was begun, the  
leader being Henry Ware. Emerson  
was a member of this congregation.

St. James' Episcopal church, Goose  
Creek, South Carolina, has the distinc-  
tion of being not only the oldest  
church in South Carolina, but of being  
the only one in which hatching was  
carried on. The King of England  
was himself interested in the building  
of this little church, the brick for  
which was brought over from London.

The old baptismal font from Curle's  
Church is here, having been discovered  
in a nearby cellar, where it had been  
in use for some time as a hominy mor-  
tar. It was placed in the hands of a  
stonecutter and made into a baptismal  
font for its holy use. In the churchyard  
lie many of the men and women who  
made the State famous. Col. Robert Gamble,  
of his majesty's army of 1775, sleeps  
there; Gov. John Page's tomb is near  
the door, and other notable names  
like the roll-call of history are Poin-  
dexter, Weddell, Southall, Allison, Spencer,  
Winchester, Southey and Arm-  
strong.

To-morrow—Yankee Business Ingenu-  
ity.

GRAINGER APPOINTED.

FORMER MAYOR NEW BOARD OF  
WATERWORKS MEMBER.

Will Succeed Charles R. Long and  
Probably Will Be Made President  
of City Commission.

Mayor Paul C. Barth announced yester-  
day that he had appointed former Mayor  
Charles R. Grainger as a member of the  
Board of Waterworks, to succeed Charles  
R. Long, who is at present president of  
the board. Mayor Barth said that he was  
glad to have the privilege of appointing  
such a man as Mr. Grainger on the Board  
of Waterworks, as he had all the con-  
fidence in the world in him doing what  
was right. The appointment will have  
the approval of the General Council,  
which will meet tomorrow morning at the  
next regular meeting of that body,  
which is April 2.

President Long of the Board of Water-  
works, called on Mayor Barth yesterday  
and was succeeded as a member of the  
board. Judge A. B. Richards gave it out  
as the official word yesterday that he  
would be elected as president of the board  
and that he would be elected as president  
of the board. Mayor Barth said it was  
perfectly satisfactory to him, and he  
informed the Mayor that Mr. Grainger  
was a man of high character and would  
be a great asset to the board. It is  
generally understood that Mr. Grainger  
will be elected president of the board  
and that he will be elected as president  
of the board. Mayor Barth said it was  
perfectly satisfactory to him, and he  
informed the Mayor that Mr. Grainger  
was a man of high character and would  
be a great asset to the board.

At a meeting of the Board of Water-  
works, held yesterday morning, the  
report submitted by Charles H. Haskin,  
chief engineer, was taken up. It was sug-  
gested by Sebastian Zorn that a successor  
to Mr. Long should be elected. Mayor  
Barth submitted the opinion of City  
Attorney Richards, in which it was  
decided that President Long should hold  
on until his successor is elected and qual-  
ified. It is likely that Mr. Grainger  
will assume the duties of member of the  
board April 13.

fame in its prosecution was Patrick  
Henry.

The Henrico church was on what is  
now the Dutch Gap canal. At Bermuda  
Hundred was a small chapel known  
as the Perry Church. In 1738 a new  
church was planned to take its place  
and because the tithes were small and  
the tobacco crop not always a success,  
the rector, the Rev. George Robertson,  
offered to serve without pay until the  
debt was lifted, trusting to the story  
of the church glebe for a living. This  
brick building, now dry-crowned  
and venerable, is the famous "Old  
Blandford church," which the women  
of the South are now seeking to re-  
store. It has been deserted since 1802,  
the Petersburg churches having drawn  
the congregation away. Among the fa-  
mous men who served this church was  
rector was James Blair, founder and  
first president of William and Mary  
College.

The "Old Church" at Quincy, Mass.,  
is known as "the church of statesmen."  
It was built of stone cut from  
John Adams' quarries, and both he and  
John Quincy Adams are buried there.  
At the "Old Ship church," Hingham,  
Mass., one Matthew Hawley, a Puritan  
preacher, is famous for his sermons  
presented by taking down the sermons  
in shorthand. Those who offended and  
were tried by church authorities were  
sent to stand in the public places with  
scarlet letters, initials of their crimes.  
The church was burned in 1802. The  
present pulpit of the First Church of  
Hingham is the one placed there in  
1755. There was no organ until 1867,  
and the first instrument was charac-  
terized by a scandalous member as  
being only a "Godless box of whistles."

St. John's, at Ashwood, Maury coun-  
ty, Tenn., is built of brick given by  
Bishop Polk, of Louisiana, and his three  
brothers. It was finished in 1842, and  
is Gothic in style. Bishops Otey and  
Quinn, of Tennessee, are buried there,  
as are also three Confederate  
Generals, who, passing that way one  
day, expressed a wish that they might  
lie there in the quiet churchyard. These  
men were Patrick R. Cleburne, Otho F.  
Strahl and States Rights Gist, and the  
fortunes of war gave them their wish.

There are said to be more legends  
clustered about old St. John's, Ports-  
mouth, New Hampshire, than about  
any other church in the country. The  
municipal service was the gift of Queen  
Caroline; the bell was taken from a ca-  
thedral in Lonsburg by the brave Per-  
rell, and when the old chapel was  
burned the metal was recast by the suc-  
cessors of Paul Revere and hung in  
the present edifice, which was burned  
in 1864. All the Westworths are buried  
there, and it was only a decade or so  
ago that the old custom of ringing the  
curfew and sentineling the town after  
10 o'clock was abandoned. It was here  
that Mr. Roosevelt started the beau-  
tiful Catherine Moffatt. One glorious  
spring morning when all the rest of the  
congregation was rigidly observant of  
the decorum of the day he marked in  
his Bible the fifth verse of the sec-  
ond epistle of John, and she blushing  
returned the blow with the sixteenth  
verse of the first chapter of Ruth mod-  
estly indicated.

St. John's, Richmond, Virginia, was  
ordered built in 1737 in "a plain manner."  
After the Moblie of Curle's Church, Ar-  
gent extra tax was laid on the colonists and  
it was known by various names until  
1828, when the present title was chosen.  
When it was enlarged the body of the  
church was kept almost as it was be-  
fore. Care was taken to preserve the  
pew where Patrick Henry stood as a  
delegate to the convention of 1772 and  
made his famous speech, in which are  
the memorable words that immortalized  
Virginia's patriotism, "But as for me,  
give me liberty, or give me death."

The old baptismal font from Curle's  
Church is here, having been discovered  
in a nearby cellar, where it had been  
in use for some time as a hominy mor-  
tar. It was placed in the hands of a  
stonecutter and made into a baptismal  
font for its holy use. In the churchyard  
lie many of the men and women who  
made the State famous. Col. Robert Gamble,  
of his majesty's army of 1775, sleeps  
there; Gov. John Page's tomb is near  
the door, and other notable names  
like the roll-call of history are Poin-  
dexter, Weddell, Southall, Allison, Spencer,  
Winchester, Southey and Arm-  
strong.



## MILLINERY—

SHOWING  
EXCLUSIVE IMPORTED HATS

—IN—

## SPRING'S NEWEST MODES.

This notable exhibit contains a complete assortment of spring's newest modes. And besides our own creations you will find this collection resplendent with the very latest ideas from Paris, London and New York.

The great variety of ideas and simplicity of stunning effects combined characterize this showing as one of our greatest efforts.

CHILDREN'S HATS in a large variety of styles.

## STEWART DRY GOODS CO.

(INCORPORATED)  
IN CONNECTION WITH JAMES MCCREERY & CO., NEW YORK.

## \$1 NOT SALARY,

So School Trustees Raised  
It To \$50.NOW CHARLESTOWN WANTS  
\$40 AND INTEREST BACK.NEW PRESCRIPTION NEEDED  
FOR EACH "DOPE" PURCHASE.

## NEW LAW NOW IN EFFECT.

Arguments were made before Judge Harry C. Montgomery, of the Clark Circuit Court, in Jeffersonville and taken under advisement yesterday in the suits of the State of Indiana ex rel. the school trustees of the town of Charlestown, Ind., against John M. Long, William E. Work and Edward B. Long; the same against Edward G. Runyon, David H. Coombs and John C. Morrison; the same against Louis C. Lewman, Sarah E. Conover, Henry Smith and David B. Hufstetter, for the recovery from each of the three principals and their bondsmen the sum of \$50. It is alleged in the complaint that Long, Runyon and Lewman while serving as members of the Charlestown School Board received \$40 each that did not belong to them, the remaining \$11 being asked as interest.

When Long, Runyon and Lewman became school trustees the salary attached to the office was \$30 per year, but the Town Board thought that was entirely too much and reduced it to \$15, which is the same as now. The three were not satisfied with their pay and voted themselves \$50 each. In turn the Town Board filed suit against Long, Runyon and Lewman and their bondsmen to recover \$40 it was alleged they were not entitled to. The demurrer was based on the ground that \$1 was not salary and an attempt is being made to throw the suits out of court from this fact.

The demurrer was met by an answer from Ed C. Hughes, Town Attorney, that the board had absolute right to fix the salaries of school trustees at any sum it saw fit and that the body proposed a legislative act in doing so that could not be questioned. In upholding the demurrer it was argued that \$1 per year could not be considered compensation for a man's time, but the members of the board were entitled to something for their work. It was admitted that \$1 was not salary, but it was claimed that every drugist in Jeffersonville who has been selling opium, morphine or cocaine to any person addicted to the use of the drugs without a written prescription has been violating the law and they are liable to a fine of not less than \$10 nor more than \$50 for each offense.

The cause of the discovery is a new law enacted at the last Legislature that originated in the house. This makes it unlawful to sell, barter or give away morphine, opium or cocaine to any person without a written prescription. It is the presumption that each prescription filed away has been filled, whether it is so stamped or not, and if it is not one must be secured for each purchase. Imprisonment may be added under the new law to the fine of from \$10 to \$50.

NOTES OF THE NEWS  
IN JEFFERSONVILLE.

Dennis F. Willey and wife yesterday transferred in the office of George V. Stoner, Recorder of Clark county, a farm of 123 acres in the town of Union, to A. Pangborn for a consideration of \$3,000.

The United Gas and Electric Company is laying an eight-inch main on Court avenue, from Pearl street to Meacham, to take the place of the smaller one now in use, so that the demand for fuel gas can be met.

A demurrer to the answers of the defendant was argued at length yesterday before Judge Harry C. Montgomery in the suit of Marcus Grider and Harriet Guy against the estate of Marcus Brookbank to be recognized as heirs.

One clerk who will receive an increase in wages on July 1, under a readjustment of salaries. There is a question as to which clerk will get the increase, but it is believed it will be given to W. E. Robinson.

Many acres of wheat in this county and Scott, it now develops, have been drowned out by the late heavy rains. The loss will be heavy.

Work has been begun on stringing the trolley wires for the Indiana Traction Company from Scottsbluff to Sellersburg, and they will be up in a short time. The line will run north as Scottsbluff is practically completed.

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Fred Rees, of Russellville, Ind., has been appointed chief engineer of the Indianapolis and Louisville Traction Company, with headquarters at Scottsbluff.

## LE BLANC PERE

Recognizes Son In Corpse  
Now In Fairview.CORROBORATES STORY OF EAST  
ST. LOUIS WIDOW.NEW BANK PLANNED FOR NEW  
ALBANY MERCHANTS.

## CORYDON'S QUEER STORY.

Peter LeBlanc, of Trenton, Mich., who has been in New Albany since Wednesday afternoon, to ascertain whether Elijah LeBlanc, the car inspector, who was killed last December in the Southern yards at New Albany, while at work, was his son, was taken to Fairview cemetery yesterday and readily identified his son.

When Elijah LeBlanc was killed in New Albany last December, he left his young wife, Mrs. Daisy LeBlanc, to whom he was married about two years ago. A few days after his death Mrs. LeBlanc, of East St. Louis, Ill., wrote to that city claiming to be the widow of the dead man, and she stated that they were married in 1891 in a Catholic church at Trenton, Mich. The elder LeBlanc, while in New Albany, corroborated this statement of the St. Louis woman, saying that his son and wife had lived in Michigan until 1903, when the younger LeBlanc went to St. Louis to work for the World's Fair. His wife joined him there a few months later.

The New Albany Mrs. LeBlanc has brought suit against the Modern Woodmen of America to recover \$1,000 insurance held on the life of her reputed husband, who was killed in the East St. Louis yards. She is now in the hands of an attorney to look after her interests in the suit, and in one brought against the Southern Railway Company to recover \$10,000 damages. The Modern Woodmen have no desire to avoid payment, and are ready to settle the amount of the policy as soon as the courts fix upon the legal owner.

## NEW BANK

Will Be Started For The East End  
Merchants.

A number of merchants doing business in the eastern part of New Albany during the past few days have been agitating the question of establishing a bank to accommodate that part of the city, and nearly all the stock has already been subscribed. At present the business men on and near Vincennes street, the leading thoroughfare in that part of the city, have to go to the city or to the bank at the corner of Third and Main streets, and it is not convenient for them to go to the bank at the corner of Third and Main streets, and it is not convenient for them to go to the bank at the corner of Third and Main streets.

In addition there are hundreds of wage workers who would open deposit accounts that now find it inconvenient to go to the business center of the city, where the present banks are located. There are now in the banks and trust companies of New Albany over \$1,000,000 of deposits, and it is estimated that the proposed new enterprise will come in for its share of the business. Those at the head of the movement are among the most enterprising citizens of the East End. It is the intention if the project materializes, to start with a capital stock of \$50,000, and the place of business of the new bank will be located on Vincennes street, near Elm or Oak.

## Assault Unknown.

A strange story came to New Albany yesterday from Harrison county. Henry Popper, a well-known farmer, of his son, who was killed in the Southern yards at New Albany, while at work, was taken to Fairview cemetery yesterday and readily identified his son.

Charles Winkler, a well-known business man of Louisville, died of pneumonia at 9:30 o'clock Wednesday night at his home, 215 East Broadway, N. W. He was sixty-five years old and was a native of Louisville. He was a member of the Louisville Chamber of Commerce and was a director of the Louisville Trust Company. He was a man of great energy and was a successful business man.

## St. Paul's Elaborate Service.

The Rev. Edmund A. Neville, rector of St. Paul's Episcopal church, New Albany, has arranged an elaborate programme for the solemn services of Holy Water at that church. They will be as follows: Sunday, March 24, Palm Sunday, services at 7:30 a. m. and 10:30 a. m. and from 12 to 3 p. m. There will be a solemn blessing and distribution of the palms and singing of the children's "Hosanna." The subject of the sermon will be "The Victory of Life."

Monday, Tuesday, Wednesday and Thursday, services at 10 a. m. and 7:30 p. m. The subject of the sermon will be "The Victory of Life." Friday, services at 10 a. m. and 7:30 p. m. The subject of the sermon will be "The Victory of Life."

Major A. J. Watts and Capt. C. H. McNutt, Chief of Police of Mayfield, were among the visitors in the city yesterday attending the Greater Louisville Exposition. After spending several hours at the Exposition both Major Watts and Capt. McNutt were shown through the Jefferson county jail and were much pleased and surprised with the size and equipment of the prison.

"I've seen all the best prisons in the country," said Capt. McNutt, "and this one is the best I have ever been through." Major Watts has been at the head of the Mayfield city government for twenty years and Capt. McNutt has been Chief of Police for twenty years.

## Gone To Chicago.

H. M. Swenson, chief clerk of the railroad mail service for the Louisville district, is in Chicago on an inspection trip of the mail service on the Moon road. This is the only direct through mail service to Chicago out of Louisville and it is under the Louisville office.

## "Everybody's food now:

## Elijah's Manna

The Ravens told the secret and the food is now made ready for you.

Easily the most delicious flavor of any flake food known.

Grocers sell at 5 cents and 15 cents.

The 15-cent pack contains double the quantity of any ordinary flake food.

Made by Postum Cereal Co., Ltd., Battle Creek, Mich.

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Maj. Lane escaped from an army prison train. He said:

"Maj. Lane was captured in the Georgia campaign and was taken to Nashville. On a prison train from Nashville to this city Maj. Lane eluded his captors. It was at the Green river bridge in Harp county, and Maj. Lane was taken to the court of Appeals, and was among his pupils. Later he joined his command."

Maj. Lane was an untiring worker and was his constant work that hastened the death of Maj. Lane. He was planning to retire from active practice on July 1, and although he did not get to the court of Appeals, he was looking forward for that time to come. Although he was interested in politics, the political office Maj. Lane ever held was that of Back Tax Collector under Mayor Charles D. Jacob. For many years Maj. Lane was a partner in the law firm of

Mrs. Winslow's Soothing Syrup has been used by millions of mothers for their children while teething for over a century. It cures colic, soothes the inflamed membrane, and gives the child a good night's sleep. It is the best of all remedies for the teething child. Twenty-five cents a bottle.

## MRS. WINSLOW'S SOOTHING SYRUP

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## Escaped From Prison Train.

Maj. Lane escaped from an army prison train. He said:

"Maj. Lane was captured in the Georgia campaign and was taken to Nashville. On a prison train from Nashville to this city Maj. Lane eluded his captors. It was at the Green river bridge in Harp county, and Maj. Lane was taken to the court of Appeals, and was among his pupils. Later he joined his command."

Maj. Lane was an untiring worker and was his constant work that hastened the death of Maj. Lane. He was planning to retire from active practice on July 1, and although he did not get to the court of Appeals, he was looking forward for that time to come. Although he was interested in politics, the political office Maj. Lane ever held was that of Back Tax Collector under Mayor Charles D. Jacob. For many years Maj. Lane was a partner in the law firm of

Mrs. Winslow's Soothing Syrup has been used by millions of mothers for their children while teething for over a century. It cures colic, soothes the inflamed membrane, and gives the child a good night's sleep. It is the best of all remedies for the teething child. Twenty-five cents a bottle.

## MRS. WINSLOW'S SOOTHING SYRUP

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## USE OF STREETS

By Light-Selling Companies  
Questioned In Suit.

BOARD OF WORKS AND G. G. FETTER COMPANY DEFENDANTS.

WILL OF CHARLES WYMAN UPHELD BY JUDGE WILLIAMS.

DR. JOHN FETZER EXONERATED

Isaac Hilliard, in his capacity as a taxpayer, yesterday filed suit against the Board of Public Works and the George G. Fetter Company, in which he attacks the ordinance which permits all companies selling light, heat and power to construct conduits through the streets for their pipes. The plaintiff asks that the Board of Public Works be prevented from allowing the George G. Fetter Company to proceed with certain proposed conduits and that the ordinance is invalid because it fails to provide that the conduits shall be put up at auction and sold to the highest bidder. Furthermore, it is alleged that the George G. Fetter Company, by the terms of its articles of incorporation, is only permitted to engage in the business of handling stationery, druggists' supplies, office supplies, etc., and that for this reason it cannot undertake to sell light, heat or power. It is charged that the company has contracted to supply the Abadie Company with electricity and that it plans to lay conduits on Main street from Third and Sixth streets, one on Market street from Fourth avenue to the next alley west; one on Fourth avenue from Market street to the next alley west; one along Cross street from a point between Third and Fourth avenues to a point between Fifth and Sixth streets.

**Charles Wyman's Will Upheld.**  
The will of Charles D. Wyman, a saloonkeeper at Eighteenth and Walnut streets, which had been contested by the decedent's mother, Mrs. Louise Steele, upon the charge that the wife had exercised an undue influence, was upheld by Judge Wilson in the County Court yesterday. The ruling was delivered from the bench after a hearing of proof and argument. The property involved is a house at Eighteenth and Walnut streets worth about \$2,000, and by the terms of the will Nannie Wyman, the wife, was given the decedent's entire estate. They were married February 7, and the will is dated March 10, it developed from the evidence that Nannie Wyman had lived with her husband for several years before their marriage. The plaintiff produced a number of witnesses to swear to the mental capacity of her husband. In dismissing the contest, Judge Wilson said:

"A good many people seem to have the mistaken opinion that when a woman gives her life to a man, and he finally decides to leave her the honor of his name and leave her a property that she has no rights. It is my view that this very act shows that the man is capable of disposing of his property in the most sane and righteous manner. I believe when a woman lives with a man this long without marriage she is as good or better than he."

**Damage Suit Compromised.**  
A two-days' trial of the suit of C. L. Cornwall against the Louisville Railway Company for \$25,000 as damages was completed yesterday in Judge Doherty's court, and after a jury had given its verdict of \$25,000, the suit was dismissed. The plaintiff had just got off a car going west when it crossed the east-bound car struck him. It was charged that the man on the east-bound car failed to ring his bell. The defense denied this and also alleged that loss of mind had as a matter of fact resulted from inability of the plaintiff, Mr. Cornwall, to testify. Mr. Cornwall is fifty-two years of age and was formerly superintendent of the Louisville and Portland Canal. He was well known as an engineer. Edwards & Ogden represented the plaintiff.

**Dr. Fetzer Exonerated.**  
Dr. John E. Fetzer, a well-known physician of Evansville, was dismissed on a writ of habeas corpus from the County Court yesterday. He had taken a check for \$100 from the estate of a patient who had been killed, and was charged with embezzlement. He was released on his own motion when he became convinced that Dr. Fetzer really had more than enough money on hand to meet the deposit, but that the cashier of the bank had neglected to give him proper credit for it.

**Two Wills Tendered For Probate.**  
The following wills were tendered for probate in the County Court yesterday: That of Juliana Belerle, dated February 1, 1907, and that of John H. Belerle, dated August 1, 1906. Juliana Belerle, widow of John H. Belerle, became of age at that time the property is to be sold and the proceeds divided equally between her son and husband, Engelbert Belerle, George Matthis is named executor with bond. That of Maria E. Strass, dated September 2, 1905, in which she gives her real estate, including her lot in Eastwood cemetery, to the trustees of the Walnut-street Methodist Episcopal church, South. She says she does this because of the care and attention given her by members of that church. Having she received the right of burial for herself in the lot. No executor is named.

**Property Owners Disagree.**  
Sigmond Joseph and his wife, Hannah Joseph, filed an information suit against Henry J. Scheitel to prevent him from constructing a flat building so as to shut off the view from the plaintiff's place, which is adjacent, and thus injure its value. The Josephs own a house on the east side of Second street, north of a street on a thirty-foot lot. Some time ago Mr. Scheitel had certain persons erect the flat building on his lot adjoining the Joseph property on the south side. The Josephs and their neighbors objected because the houses along that block are built back from the street seven feet from the street. It is alleged that the defendant had agreed to place his flat building back twenty feet from the street if he was paid \$20. The plaintiffs and other neighbors who alleged to have raised the sum but who the defendant intentionally prevented any of them from getting word to him they would let him have the money. Therefore they say that they were unable to close the contract within the time agreed upon.

**Four Strike Sympathizers Dismissed.**  
The grand jury yesterday dismissed four alleged strike sympathizers who had been held over by the Police Court on charges of obstructing business. The defendants were John Snow and William Covington, who are said to have participated in trouble at Fourteenth and Chestnut streets; Ben Horn, alleged to have stopped a wagon on the trucks on Second street south of Broadway, and Frank Parham, charged with stopping a coal cart on the tracks at Campbell and Jefferson streets.

**Disorderly Housekeeper Punished.**  
Hattie Reed, charged with keeping a disorderly house at 23 West Chestnut street,

was given a year in jail and a \$500 fine by a jury in the Criminal Court yesterday. The evidence of the Commonwealth was that she had allowed girls not more than sixteen years of age to come to her house with their companions.

## Court Paragraphs.

Richard G. Trefel sued T. Frank House and others for \$225 on an old judgment. John Jones, charged with malicious cutting, was given six months in jail. George Walker, charged with malicious cutting, was sent to jail for six months.

William Cress, charged with house-breaking, pleaded guilty and was given a year in jail.

George Smiley sued the Great Eastern Casualty Company for \$135 on an insurance policy.

Henry Smith, charged with house-breaking, was given two years in the penitentiary.

William H. Walker sued the Louisville Railway Company for \$5,000. He was struck by a car.

Charles W. Collins sued the Security Mutual Life Insurance Company for \$225 on insurance premiums.

Vincent De Coursey sued the Louisville Railway Company for \$2,500. He was hurt in a fall from a car.

James L. Treasore sued W. H. Hoskins for \$47, said to be due as the result of a contract between them involving certain notes.

William A. Jackson sued the Louisville Railway Company and the Louisville and Nashville Railroad Company for \$20,000. He was hurt in a collision with a car.

A jury in Judge Gordon's court returned a verdict for the defendant in the case of William Jones, colored, who had sued the American Machine Company for \$5,000 because of injuries he received while in defendant's employ.

The following confessed judgment for back taxes on omitted personal valuations: Charles E. McElrath, \$1,000 for four years and \$700 for one year; Courier-Journal Job Printing Company, \$5,000 for one year, \$3,000 for one year; Hartman Furniture and Carpet Company, \$3,000 for one year, \$2,000 for one year; Louis Stoko, \$4,000 for two years.

**Court of Appeals Decisions.**

W. F. O'waley, etc., vs. S. H. Bowler, Adm'r., etc.—Filed February 24, 1907.—(To be reported.) Appeal from Barren Circuit Court. Opinion of the court by Judge Nunn, affirming.

Judgment—Action to Vacate—Copy of Exhibits—Competency of evidence.—In action to vacate a judgment rendered on notes, on the ground that the judgment was against a married woman and was void, and alleging that she did not owe the debt, or any part of it, in which action copies of the notes were filed in the petition, as exhibits, when only required a calculation, computing the interest at the legal rate and giving the credits intended, to show that they had been overpaid, the copies of the notes were competent evidence without being identified as the originals, where there was no denial that they were true copies of the originals.

W. L. Porter, A. J. Carroll and J. W. Jones for appellants; Baird & Richardson, Duff & Hutchinson and George Duff for appellees.

Camden Interstate Railway Co. vs. Mott.—Filed March 13, 1907. (Not to be reported.) Appeal from Boyd Circuit Court. Opinion of the court by Judge Barker, affirming.

The judgment in this action is affirmed upon the authority of the opinion in Camden Interstate Railway vs. Smiley, etc., 27 R. 134.

T. R. Brown, George B. Martin for appellants; Scott & Dickey, W. M. Richard, W. L. Marshall for appellees.

Marquess vs. Neelle Land, etc.—Filed March 13, 1907. (Not to be reported.) Appeal from Christian Circuit Court. Opinion of the court by Carroll, Commissioner, affirming.

First—Landlord and Tenant—Liens—Statutes.—It appears from the evidence in this action that the tenant delivered to the landlord, and although the 120 days fixed by the statute in which the lien may be continued had expired, no action is prevented by any agreement, the lien may not be preserved.

Second—Same.—It would seem that after the tobacco had been voluntarily placed by the tenant in the hands of the landlord, and it would be fully to require him to go through the useless and expensive form of instituting an action for the enforcement of his lien.

Hunter Wood & Son for appellants; R. A. Burnett, J. R. Hanberry for appellees.

Kinson vs. Rich.—Filed March 12, 1907. (Not to be reported.) Appeal from Kenton Circuit Court. Opinion of the court by Judge Seale, affirming.

Action—Practices.—The action should have been brought in equity, yet as there was an issue of fact, no error was committed in submitting it to a jury. Moreover, the petition was not entitled a "petition in equity," the action was placed upon the ordinary docket and there permitted to remain without objection or motion to transfer it to the equity side of the docket, nor does the record show that applicant objected to a trial by jury.

Richard G. Williams for appellant; Orrie S. Ware, Robert C. Simmons for appellees.

Continental Casualty Co. vs. Harrod.—Filed March 12, 1907. (Not to be reported.) Appeal from Muhlenberg Circuit Court. Opinion of the court by Judge Nunn, affirming.

First—Insurance—Contracts.—Provisions in application not in policy.—The provision of forfeiture relied on by appellant in this action was not embraced in the policy and by an express provision of the statutes, it cannot be received in evidence in any controversy between the parties in the policy.

Second—Void Contract.—The provision in the policy that no action shall be brought more than six months after the accrual of the cause of action is in contravention of public policy and void. Newton Becder for appellant; Proctor & Hardman, Greene & VanWinkle for appellees.

Carter vs. Estep, etc.—Filed March 13, 1907. (Not to be reported.) Appeal from Floyd Circuit Court. Opinion of the court by Carroll, Commissioner, affirming.

Affirming upon the evidence. There are no questions of law involved in this appeal, and it is affirmed upon the evidence. James Goble, May and May for appellant; Walter S. Harkins for appellees.

Withouts adm'r., etc., vs. Withers' heirs, etc.—Filed March 8, 1907. (Not to be reported.) Appeal from Kenton Circuit Court. Opinion of the court by Judge Hobson, reversing.

First—Estate—Action to Settle.—The petition showing there is no personal estate, the administrator de bonis non cannot maintain the action for a settlement of the estate. The remedy of the creditors is to subject the real estate to their demands, or obtain a personal judgment against the devisees on account of assets received.

Second—Limitation.—The fact that by the will the property is devised subject to the debts and funeral expenses of the testator does not affect the limitation as to these claims, and a creditor who by reason of the testator's death is prevented from presenting his claim must sue before his debt is paid. Oscar H. Bolten for appellants; Sidney Arthur for appellees.

Mullins, etc., vs. Fidelity and Deposit Company of Baltimore, Md., etc.—Filed March 1, 1907. (Not to be reported.) Opinion of the court by Carroll, Commissioner, affirming. Appeal from Kenton Circuit Court.

First—Wills—Limitation As to Right to Probate.—A proceeding to probate a will is barred for the lapse of ten years from the time the right to probate accrues.

Second—Same.—Merely filing the will and ordering a subpoena to issue for the attesting witnesses cannot be deemed a substantial compliance with the statute providing how an action shall be commenced.

Third—Same.—Who May Contest a Will.—Creditors are "persons interested" within the meaning of the statute, and may contest a will. See Brooks vs. Payne, Ky. Stats., and therefore have the right to contest a will. See Brooks vs. Payne, Ky. Stats.

James P. Tarvin, B. F. Graziop, and others for appellants; McLean, Jones & James, Walker C. Hall for appellees.

Sinclair's adm'r. vs. I. C. Railroad Co.—Filed March 8, 1907. (Not to be reported.) Appeal from Hardin Circuit Court. Opinion of the court by Carroll, Commissioner, reversing.

It is the desire of the majority of the members of the Board of Public

Works that the work begin on the building as early as possible, and when it is for that reason there will be no delay in awarding the contract. The foundation has already been constructed. The cost of the annex will be \$170,000.

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## Starr Dry Goods Co.

523-525-527 Fourth Avenue.

First Friday Bargain Sale  
of New Spring Goods.

Right to the front steps Louisville's Fastest Growing Department Store with the newest of Spring Merchandise specially reduced in price for to-day's selling. A visit to the store will be an unusually profitable one as the saving on every purchase will amount to considerable. Each department brings forth values that positively cannot be duplicated at any other store in all Louisville.

## Full Page Green Trading Stamps Free

In addition to the extraordinary Friday bargains we will give to every visitor a full page of Green Trading Stamps absolutely free of cost. If you have a partly filled book bring it in; it will afford us much pleasure to add a full page free.

## PUZZLED BY LACK

## OF BUYING

AMERICAN TOBACCO COMPANY  
TAKES LITTLE LEAF.NO DEALING ON LOCAL BREAKS  
OR IN COUNTRY.

## PRICES SAG MATERIALLY.

Leaf tobacco dealers and growers are puzzled over the inactivity of the buyers for the American Tobacco Company, both on the local auction breaks and in the country. For more than two weeks the local buyers for the company have been about 20 per cent. Below the level of the offerings in the local market, and reports of buying in the country have been rare. The American Tobacco Company uses about 60 per cent. of the Burley yield, the remainder being taken by independent exporters and sent to foreign markets. It is estimated that so far this season the stock of the company has been about 20 per cent. Below the level of the offerings in the local market, and reports of buying in the country have been rare. The American Tobacco Company uses about 60 per cent. of the Burley yield, the remainder being taken by independent exporters and sent to foreign markets. It is estimated that so far this season the stock of the company has been about 20 per cent. 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